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OFFICE OF PETITIONS

In re Application of :
Michael Scalora, et. al. :
Application No. 10/627,989 : ON PETITION
Filed: July 28, 2003 :
Attorney Docket No. 28549-202510 :
:

This is a decision on the petition under 37 CFR 1.137(b), filed November 9, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed October 23, 2003. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight December 23, 2003.

In response, petitioner submitted with the instant petition a Change of Address and Attorney Docket Number, a Supplemental Application Data Sheet, and an authorization to charge \$395 for the basic filing fee, a \$65 surcharge for the filing of the Oath/Declaration and \$665 for the petition to revive fee. However, effective October 1, 2004, the petition to revive fee was increased from \$665 to \$685. Therefore, as authorized, the above fees have been charged to petitioner's deposit account.

The petition is **GRANTED**.

The application file is being referred to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy